



IT IS ORDERED

Date Entered on Docket: July 31, 2013

The Honorable David T. Thuma
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW MEXICO

In re:

MICHAEL PETER MATAYA and CLAUDETTE SYLVIA MATAYA,

Debtors.

Case No. 7-10-13628 TA

STIPULATED ORDER ABANDONING ESTATE PROPERTY

THIS MATTER comes before the Court upon the motion of El Sabino, Inc. for abandonment of stock in Mataya Smith Lake Co., Inc. previously owned by the Debtors but foreclosed by El Sabino, Inc. Two objections to the motion were filed, the Court held hearings, and now the parties agree that the stock should be abandoned, as is shown by the approval of counsel below. The Court is sufficiently advised in the premises, and therefore:

FINDS:

1. El Sabino, Inc. owns the shares of stock in Mataya Smith Lake Co., Inc. previously owned by the Debtors.
2. El Sabino filed its motion to compel abandonment on December 8, 2012. Docket

No. 118.

3. Craig H. Dill, Trustee in a companion bankruptcy, objected to the motion December 20, 2012. Docket No. 120.

4. Philip J. Montoya, Trustee in this bankruptcy proceeding, also objected to the motion to abandon the Mataya Smith Lake Co., Inc., stock on December 31, 2012. Docket No. 122.

5. The parties have reached an agreement for the settlement of the abandonment issue and other issues.

6. The settlement has been noticed to creditors in each of the two bankruptcy cases. In this case that occurred in early March. Docket Nos. 135-136.

7. The stipulation is well taken and should be approved.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

1. The stock in Mataya Smith Lake Co., Inc. previously owned by the Debtors is hereby abandoned from this bankruptcy estate.

2. Neither Craig H. Dill nor Philip J. Montoya assert any interest in the stock.

3. Cause exists to waive the requirements of Bankruptcy Rule 4001(a)(3); this Order is effective immediately upon entry.

end of order

Submitted by:

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Approved by:

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